

DRAFT

RESOLUTION NO: \_\_\_\_\_

**STATE OF CALIFORNIA**

**STATE ENERGY RESOURCES  
CONSERVATION AND DEVELOPMENT COMMISSION**

**RESOLUTION**

**WHEREAS**, in the November 6, 2012 statewide general election, voters approved Proposition 39, which created the *California Clean Energy Jobs Act*, which provisions were further refined with the enactment of SB 73 (Stats. 2013, ch. 29) on June 27, 2013 and the enactment of SB 97 (Stats. 2013, ch. 357) on September 26, 2013; and

**WHEREAS**, Public Resources Code section 26235 directs the California Energy Commission to develop guidelines for a variety of elements of the *California Clean Energy Jobs Act*; and

**WHEREAS**, Public Resources Code section 26235 exempts the adoption of the Guidelines from Chapter 3.5 (commencing with section 11340) of Part 1 of Division 3 of Title 2 of the Government Code; and

**WHEREAS**, on December 19, 2013, after an extensive process of public input, the California Energy Commission adopted the *Proposition 39: California Clean Energy Jobs Act – 2013 Program Implementation Guidelines*; and

**WHEREAS**, California Energy Commission staff has proposed changes to the *Proposition 39: California Clean Energy Jobs Act – 2013 Program Implementation Guidelines* in order to clarify the applicability of eligibility requirements applicable to LEAs that occupy leased publicly-owned facilities, leased privately-owned facilities, and their own private facilities, and posted these changes on the California Energy Commission's Proposition 39 webpage on June 3, 2014; and

**WHEREAS**, the California Energy Commission finds that staff's proposed changes improve the clarity of the *Proposition 39: California Clean Energy Jobs Act – 2013 Program Implementation Guidelines*; and

**WHEREAS**, the California Energy Commission finds that the adoption of staff's proposed changes to the *Proposition 39: California Clean Energy Jobs Act – 2013 Program Implementation Guidelines*, posted on the California Energy Commission's Proposition 39 webpage on June 3, 2014, is exempt from CEQA for the same reasons that the December 19, 2013 adoption of the *Proposition 39: California Clean Energy Jobs Act – 2013 Program Implementation Guidelines* was exempt; and

**WHEREAS**, judicial review of this Resolution is governed by Public Resources Code, section 25901;

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**THEREFORE BE IT RESOLVED**, the California Energy Commission hereby adopts the staff's proposed changes to the *Proposition 39: California Clean Energy Jobs Act – 2013 Program Implementation Guidelines*, posted on the California Energy Commission's Proposition 39 webpage on June 3, 2014, and delegates the authority and directs Commission staff to take, on behalf of the Commission, all actions reasonably necessary to administer the *California Clean Energy Jobs Act* as specified in the *Proposition 39: California Clean Energy Jobs Act – 2013 Program Implementation Guidelines*, including but not limited to making any appropriate non-substantive, editorial-type changes to the Guidelines and/or any related documents, and preparing and filing all appropriate documents, such as the Notice of Exemption with the Office of Planning and Research.

**IT IS SO ORDERED**

**CERTIFICATION**

The undersigned Secretariat to the Commission does hereby certify that the foregoing is a full, true, and correct copy of a Decision duly and regularly adopted at a meeting of the California Energy Commission held on June 18, 2014.

AYE:

NAY:

ABSENT:

ABSTAIN:

Dated: \_\_\_\_\_, at Sacramento, California.

\_\_\_\_\_  
Harriet Kallemeyn  
Secretariat  
California Energy Commission